

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Marston/Safi v. S-L Distribution Company, LLC and S-L Distribution Company, LLC v. Marston/Safi and S-L Distribution Company, LLC v. Marhal Distributors LLC, <i>et al.</i>	1:19-cv-02187-JPW
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Charleau v. S-L Distribution Company, LLC and Snyder's-Lance, Inc., as Successor in Interest to S-L Distribution Company, LLC v. Charleau and Snyder's-Lance, Inc., as Successor in Interest to S-L Distribution Company, LLC v. Charleau Distribution, LLC	1:20-cv-00879-JPW
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Vrabac/Rocco v. S-L Distribution Company, LLC and S-L Distribution Company, LLC v. Vrabac/Rocco and S-L Distribution Company, LLC v. Vedo Snacks LLC, <i>et al.</i>	1:20-cv-00937-JPW
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**S-L'S UNOPPOSED MOTION TO DISMISS WITH PREJUDICE AND FOR
APPROVAL OF SETTLEMENT OF NAMED PLAINTIFFS' CLAIMS AND
S-L'S COUNTERCLAIMS AND THIRD-PARTY CLAIMS**

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Defendant S-L Distribution Company, LLC and Counterclaimant-Third-Party Plaintiff Snyder's Lance, Inc., as successor in interest to S-L Distribution Company, LLC (both entities

herein collectively referred to as “S-L”),¹ respectfully moves this Court for entry of an Order:

1. dismissing with prejudice, with each party to bear its own attorneys’ fees, expenses and costs, the above-captioned actions, including Plaintiffs Daaveed Charleau, Kevin Marston, Paul Rocco, Belal Safi, and Arnes Vrabac’s (“Named Plaintiffs”) claims in the above-captioned actions, further including those brought under Connecticut wage statutes, the Massachusetts Wage Act, New Hampshire wage laws, and common law (such as breach of contract), as well as S-L’s counterclaims against Named Plaintiffs and third-party claims against Third-Party Defendants;² and
2. approving the Parties’ settlement of each Named Plaintiff’s claims and their release of claims, including those under (i) the Fair Labor Standards Act (“FLSA”); (ii) state wage and hour and wage payment laws; and (iii) common law (such as breach of contract).

This Unopposed³ Motion and the relief requested herein does not impact any rights of any members of the putative class as defined in each Named Plaintiffs’ respective operative Complaint. The arguments and authorities in support of this Motion are

¹ On February 1, 2021, S-L Distribution Company, LLC was merged into Snyder’s Lance, Inc.

² “Third-Party Defendants” is defined as Charleau Distribution LLC, L&K Snacks LLC, Marhal Distributors LLC, Rocco Snack Food Distributor LLC, Speedy Snacks LLC, and Vedo Snacks LLC.

³ Plaintiffs’ Counsel have informed defense counsel that, in Plaintiffs’ view, judicial approval of the underlying settlements is *not* required because (i) these actions are not being settled on a classwide basis per Fed. R. Civ. P. 23(e) and (ii) Plaintiffs do not assert Fair Labor Standards Act (“FLSA”) claims in their complaints. Notwithstanding, Plaintiffs’ counsel do not oppose S-L’s desire to obtain judicial approval of the settlements (which contain FLSA waivers) and agree with S-L that the settlements are fair and reasonable.

set forth in the Memorandum of Law in Support of S-L's Unopposed Motion to Dismiss with Prejudice and for Approval of Settlement of Named Plaintiffs' Claims and S-L's Counterclaims and Third-Party Claims submitted contemporaneously herewith.

Respectfully submitted this 17th day of February, 2022.

**S-L Distribution Company, LLC and
Snyder's Lance, Inc., as successor in
interest to S-L Distribution Company,
LLC**

/s/ Benjamin K. Jacobs

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*One of the Attorneys for Defendants,
Counterclaim Plaintiffs, and Third-Party
Complainants*

CERTIFICATE OF CONCURRENCE

Pursuant to Local Rule 7.1, I certify that Named Plaintiffs and Third-Party Defendants in the above-captioned actions do not oppose the filing of this Motion.

/s/ Benjamin K. Jacobs
Benjamin K. Jacobs

CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2022, a copy of the foregoing was filed electronically and served upon all counsel of record via operation of the Court's CM/ECF System or by mail upon anyone unable to accept electronic filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Benjamin K. Jacobs
Benjamin K. Jacobs